

REMARKS

Claims 1 to 8 are in the application.

As a result of the foregoing amendment, claims 1 and 8 have been amended to make it clear that the second occurrence of the at least one outwardly extending lip is the same lip as one of the lips mentioned previously in each claim.

Reconsideration and withdrawal of the rejection of the claims 1-6 and 8 under 35 U.S.C. §102(b) as being anticipated by Salter, Jr., are respectfully requested.

Applicants respectfully submit that claim 1 of the present application is not anticipated by the reference to Salter.

Specifically, Applicants submit that the Examiner's position that the reference shows a pocket as recited in claim 1 of the present application is not well taken. A careful review of the specification and drawings of this reference does not reveal such a pocket.

The reference to Salter does disclose a flexible outer sealing element which is adapted to be mounted on an outer surface of the inner sealing element, as described in column 2, lines 25-29 of the

reference. Claim 1 of the references mentions in feature (b) that the inner sealing part or first part and the outer sealing part or second part have areas located opposite each other which provide a sealing effect. However, also in this case, a pocket or the like is not mentioned. Subparagraph (c) of claim 1 of the reference requires that means are provided for connecting the body segments together. It is exactly this connecting means which are not required in the configuration according to the present invention as claimed.

It is the Examiner's position that Applicant's argument that due to the pocket that receives the second part no additional retaining means are necessary is not persuasive because this is not claimed by the Applicants. This position is not understood. In accordance with U.S. practice, a claim sets forth the metes and bounds of the invention by positively reciting all the features of the claimed subject matter. A claim is not supposed to recite that which is not present. The fact that the sealing device according to the present invention does not require a connecting element that is fully functional without relative movements between the two sealing element parts is a consequence of the language set forth in the claim.

Accordingly, it is submitted that claim 1 is patentably distinct from the reference relied on by the Examiner.

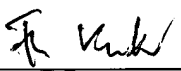
Reconsideration and withdrawal of the rejection of claim 7 under 35 U.S.C. §103(a) as being unpatentable over Salter in view of Salter '480, are also respectfully requested.

The reference to Salter '480 does disclose spring-supported lips. However, the reference only shows one sealing element. The reference also does not disclose a pocket, so that it is submitted that it is clear that the present invention as claimed is patentable over the art of record.

Therefore, in view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Any additional fees or charges required at this time in connection with the application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 14, 2005.

By:  Date: December 14, 2005
Friedrich Kueffner